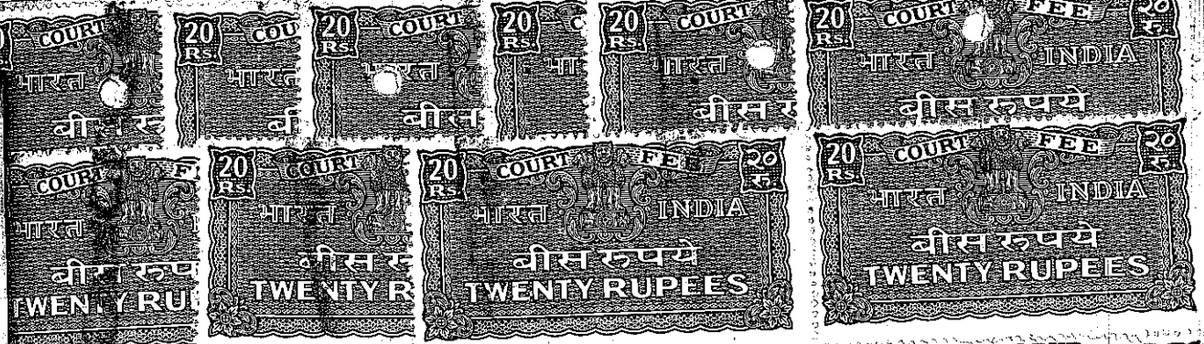

IN THE HIGH COURT OF JUDICATURE AT JABALPUR.

(3)

WRIT PETITION NO. 3776 OF 1997.

1. Ranjit Singh son of Shri Karnail Singh, aged about 50 years;

2. Narendra Singh, son of Shri Santosh Singh, aged about 43 years;

both resident of Royal Khalsa Dhaba, Janjgiri, G.E. Road, Durg, District Durg, M.P.

... PETITIONERS.

V E R S U S.

1. The State of Madhya Pradesh, through the Chief Secretary, Vallabh Bhawan, Bhopal, M.P.

2. The Land Acquisition Officer/ Sub Divisional Officer, Patan, District Durg, M.P.

3. Manager, Power Grid, Durg, M.P. RESPONDENTS.

. . .

PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA, FOR ISSUANCE OF WRITS IN THE NATURE OF CERTIORARI, MANDAMUS, PROHIBITION ETC. AND FOR ANY OTHER WRIT OR WRITS, ORDER OR

CONTINUED ON PAGE NO. 2.

Smt. Kamla Verma
Typist JBP.

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.3776/97 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

23-10-2002

Shri Manindra Shrivastava, counsel for the petitioners.

Shri Ranbir Singh, Govt. Adv. for respondent Nos. 1 and 2.

Shri P.S. Koshy with Shri Vinod Deshmukh, counsel for respondent No.3.

Heard on I.A.No. 5790/2002.

The challenge in this writ petition is to the notice dated 11-08-1997 (Annexure P – 6) issued under Section 17(1) of the Land Acquisition Act in respect of acquisition of khasra Nos. 673/5, 673/14 and 673/15 situate at village Janjgiri, Tehsil Dhamda, District Durg. According to the petitioners, the action, not been in accordance with the rules is null and void and liable to be declared as such.

Admittedly, the acquisition was for the benefit of respondent No.3 and at its request the notification was issued. During the pendency of the writ petition, a settlement has been arrived at between the petitioners and the respondent No.3, which is reflected in paragraph 3 of the application for withdrawal (I.A.No.5790/2002) of the writ petition. The said paragraph reads thus:

> "That under the changed circumstances, petitioners as well as Management of respondent

पीछे देखिये

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP No. 3776/97 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

No.3 after agreeing to the details of negotiations have reached to a settlement, whereby the respondent No.3 has agreed to go for de-notification of the piece of land admeasuring 113 Ft. X 165 Ft. adjoining the road in Khasra No.673/5, 673/14 and 673/15 and the balance land may be acquired and possession may also be taken."

It is stated by Shri Koshy, learned counsel for respondent No.3 that the settlement as averred has in fact been arrived at and that steps are being taken by respondent No.3 to request the State Government to amend the notification by excluding therefrom land admeasuring 113 Ft. X 165 Ft. adjoining the road in Khasra No.673/5, 673/14 and 673/15, which is in the possession of the petitioners.

Recording such settlement, the writ petition stands disposed of in terms of the settlement arrived at between the petitioners and the respondent No.3.

Consequently, I.A.No.5790/2002 also stands disposed of.

Sd/-
P.C.Naik
Judge

Murthy

[पीछे देखिये]